

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT CINCINNATI**

CHARLES VINCENT ASHFORD JR.,	:	Case No. 1:23-cv-734
	:	
Plaintiff,	:	District Judge Susan J. Dlott
	:	Magistrate Judge Caroline H. Gentry
vs.	:	
	:	
STATE OF OHIO, et. al.,	:	
	:	
Defendants.	:	
	:	

REPORT AND RECOMMENDATION

On November 9, 2023, Plaintiff Charles Vincent Ashford, Jr. (“Plaintiff”) filed a motion for leave to proceed *in forma pauperis* (“IFP”) in connection with a prisoner civil rights complaint. ECF Nos. 1, 1-1. On November 20, 2023, the Court issued an Order notifying Plaintiff that his IFP application was incomplete due to the lack of a certified trust account statement and ordering Plaintiff to either pay the full filing fee or submit a certified copy of his prison trust account statement (or institutional equivalent) for the preceding six-month period within thirty (30) days. ECF No. 3 at PageID 21. Plaintiff was advised that “[i]f Plaintiff fails to comply with this Order, the Court may dismiss this case for want of prosecution.” *Id.*

The deadline for Plaintiff to comply with the Court’s November 20, 2023 Order has now passed. Plaintiff has failed to respond to or otherwise comply with the Order.

District courts have the inherent power to *sua sponte* dismiss civil actions for want of prosecution to manage their own affairs so as to achieve the orderly and expeditious disposition of cases.” *Link v. Wabash R.R.*, 370 U.S. 626, 630-631 (1962). *See also*

Jourdan v. Jabe, 951 F.2d 108, 109 (6th Cir. 1991). Failure of a party to respond to an order of the court warrants invocation of the Court's inherent power. *See Fed. R. Civ. P. 41(b)*.

It is therefore **RECOMMENDED** that this matter be **DISMISSED** for lack of prosecution.

NOTICE REGARDING OBJECTIONS

Pursuant to Fed. R. Civ. P. 72(b), any party may serve and file specific, written objections to this Report & Recommendation ("R&R") within **FOURTEEN (14) DAYS** after being served with a copy thereof. That period may be extended further by the Court on timely motion by either side for an extension of time. All objections shall specify the portion(s) of the R&R objected to and shall be accompanied by a memorandum of law in support of the objections. A party shall respond to an opponent's objections within **FOURTEEN DAYS** after being served with a copy of those objections. Failure to make objections in accordance with this procedure may forfeit rights on appeal. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

January 29, 2024

/s/ *Caroline H. Gentry*

Caroline H. Gentry
UNITED STATES MAGISTRATE JUDGE